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November 22, 2022

VIA ECF

Honorable Valerie Caproni, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square, Room 443
New York, New York 10007

Re: *In re Navidea Biopharmaceuticals Litigation, Case No. 19-cv-01578-VEC*

Dear Judge Caproni:

I represent Defendant/Counterclaim Plaintiff/Third-Party Plaintiff Dr. Michael M. Goldberg, M.D. (“Dr. Goldberg”) in the above-referenced matter. I write jointly on behalf of counsel for all parties in response to the Court’s Order dated November 9, 2022, as modified by the Court’s Memo Endorsement of November 18, 2022. As directed by the Court counsel for all parties have conferred regarding next steps in this matter.

The parties have expressed a willingness to re-engage in settlement discussions in an effort to resolve this action without the need for further proceedings. In light of this, and taking into account the upcoming holiday, the parties respectfully request that they be allowed until December 16, 2022 to engage in settlement discussions and exchange proposals amongst themselves. If the parties are unsuccessful, we anticipate that on December 16, 2022, the parties would submit a proposed schedule for summary judgment motions. If prior to December 16, 2022, the parties believe a resolution might be facilitated by further mediation, the parties will request a reference to mediation.

Thank for your attention to this matter.

Respectfully submitted,

/s/ Gregory Zimmer, Esq.

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Page 2

cc: Barry Kazan, Esq.

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